



Court Connections

News from the New Mexico Judiciary

September/October 2018

District Courts Tackling Mental Health Issues

A person experiencing a mental health crisis is more likely to be arrested than referred to treatment, and time in jail often worsens the mental health condition, according to research by the National Alliance on Mental Illness.

New Mexico Courts are taking concrete steps to address their communities' mental health needs. The Third Judicial District Court launched an Assisted Outpatient Treatment (AOT) Program in partnership with Doña Ana County, with federal funding from the Substance Abuse and Mental Health Administration.



2nd Judicial District, Judge Beatrice Brickhouse, third from left, Program Manager Lisa Schatz-Vance, third from right, and Ellen Braden with the City of Albuquerque, second from right, visited AOT courts in Ohio.

Under the program, started in July 2017, a district court judge can order individuals involved in civil proceedings to participate in a structured treatment program developed by a local behavioral health provider. Court and county officials expect the program to reduce the number of people hospitalized or incarcerated due to mental health issues.

The Second Judicial District Court is teaming with the City of Albuquerque and UNM's Health Psychiatric Center to pilot an AOT court.

In anticipation of a Fall launch, a delegation from the District Court and the city recently traveled to Ohio to observe two established court-ordered

outpatient treatment programs. "With New Mexico's recent enactment of assisted outpatient treatment legislation, it is important that we have this opportunity to observe how other state courts have implemented court-ordered treatment programs," said Second Judicial District Judge Beatrice Brickhouse.

The 12th Judicial District Court has a hearing room in the behavioral health wing of a regional hospital. See page 2.

"It was extremely helpful to observe both the court's role in this process and the actual interactions between the judge and the participant," said Ellen Braden, who manages the City of Albuquerque's behavioral health and wellness division.

"In Ohio, the judge's engagement with the participants clearly supports the individual's recovery."

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Hospital-Based Courtroom Helps Twelfth Judicial District Address Mental Health Needs

The Twelfth Judicial District Court is taking an innovative approach to serving individuals with mental-health related issues.

In April of this year, judges in the Twelfth Judicial District began hearing cases in a hearing room housed inside the behavioral health wing of the Gerald Champion Regional Medical Center in Alamogordo.

The judges participate in an alternating monthly schedule that has a judge conducting hearings at the hospital each week. The district's four judges share in the rotation to help ensure the success of this model.

The Gerald Chapman Regional Medical Center opened the behavioral health unit in Alamogordo in 2016. It provides in-patient services to individuals from around the state. Community, justice partner stakeholders and advocacy groups have joined forces to share ideas and find solutions for people with mental health-related issues.

The hospital-based hearing room is the latest of these ideas.

"The outcome has meant more efficient and timelier case resolution practices, as well as a more constructive and less disruptive judicial process for individuals who may be in need of a treatment guardian, involuntary commitment or a guardian/conservator appointment," said Court Executive Officer Katina Watson.



New Mexico Supreme Court Chief Justice Judith K. Nakamura, fourth from left, recently toured the hearing room inside the Gerald Champion Regional Medical Center in Alamogordo. Also pictured are District Court judges and staff, hospital officials and the director of the Administrative Office of the Courts.

John J. Romero is President of National Council and Juvenile and Family Court Judges



Judge John J. Romero was sworn in as president of National Council of Juvenile and Family Court Judges by the Honorable Monica Zamora of the New Mexico Court of Appeals.

The Honorable John J. Romero, Jr. of the Second Judicial District Court, Children's Division was recently sworn in as 2018-2019 president of the National Council of Juvenile and Family Court Judges (NCJFCJ). He is the first president representing New Mexico in the organization's 81 years.

"The NCJFCJ has been fortunate to have Judge Romero's active influence in addressing domestic child sex trafficking issues and the collaboration of tribal and state courts," said Joey Orduna Hastings, NCJFCJ CEO. "Judge Romero's knowledge of the judiciary, his compassionate dedication to the children and families he serves and represents, and his ability to lead and engage his fellow judges makes him an exceptional leader of the organization."

Judge Romero has served as a member of the organization for 14 years, including six years on the NCJFCJ Board of Directors.

"In leading the NCJFCJ, Judge Romero will bring the same compassion and commitment for improving juvenile justice courts that he has shown during his 15 years as a judge working tirelessly to do what is best for young people and families in our state," said New Mexico Supreme Court Chief Justice Judith K. Nakamura.

Foreclosure Settlement Programs Help Stabilize Communities

Even with an improving economy, New Mexico remains on the list of the ten states with the highest home foreclosure rates. However, a growing number of New Mexico residents are rescuing their homes from foreclosure by taking part in Foreclosure Settlement Programs administered by District Courts and the New Mexico State Bar Foundation.

So far, courts in three districts—the First, Second and Thirteenth—have active Foreclosure Settlement Programs that helped 350 borrowers resolve their foreclosure cases in the 2017-2018 fiscal year. More than half those cases resulted in agreements that allowed the borrowers to remain in their homes.



The Second Judicial District Court Foreclosure Settlement Program staff, left to right, Tamara Ewing, Christopher Peck and Susie Widner.

contract attorney, handles settlement facilitations.

“In the remaining cases, these programs provide a graceful way for borrowers to turn over their homes,” said Judge Shannon Bacon, who oversees the program for the Second Judicial District Court.

Those graceful exits are due largely to the efforts of the programs’ staff, who bring banks and borrowers together to hash out these agreements.

The Second Judicial District Court program is staffed by a program administrator and two contract attorneys. Christopher Peck is the program administrator. The attorneys, Tamara Ewing and Susie Widner, serve as settlement facilitators. The Thirteenth District Court program staff consists of Erin Olsen, an attorney and settlement facilitator, and Catrina Madrid, program administrator.

The First Judicial District Court launched its program in January 2018. Kim Moore serves as program coordinator. William Cason, a

Communication prevents litigation

Any homeowner whose case lands in one of these district courts can take part in the facilitation process. Homeowners who agree to participate have their foreclosure cases put on hold pending the outcome of the settlement process.

“We are a neutral third party who can talk to both sides about the benefits of settling rather than dragging a case through the court system for years,” said Ewing, one of settlement facilitators in the Second District.

After the borrower attends an introductory workshop, a settlement facilitator schedules a telephonic status conference, which is the first step in the mediation process. “The idea is to facilitate communication to prevent litigation,” said Peck the Second District’s program administrator. “With that approach, we see most of our cases being resolved through telephonic conferences.”

The numbers confirm that assessment. In the Second District, 95% of the cases that completed the program were finalized at telephonic status conferences, as opposed to in-person settlement facilitation.

Overall, the Second District has a 96% success rate for borrowers who fully participate in the program after attending a workshop. The Thirteenth District has an 87% success rate with those borrowers. The First District’s program has not been running long enough to compile comparable numbers.

It is clear these programs work for resolving foreclosures, which is why there are plans to extend them to other districts. The Thirteenth District’s settlement facilitator has worked on cases in the Fourth, Eighth and Eleventh Judicial Districts. The Thirteenth District also recently completed a memorandum of understanding to operate a program for the Tenth District Court.

“Not only does the Foreclosure Settlement Program help individual homeowners, it provides a benefit to the various communities it serves,” said Louis McDonald, Chief Judge of the Thirteenth Judicial District Court. “Early intervention in foreclosure matters has the ultimate effect of decreasing crime, preserving property values, and maintaining the tax base. It also provides a benefit in that it helps reduce the strain on the courts’ dockets by resolving cases through mediation.”

The State Bar of New Mexico Recognizes Court's Family Support Services Program's Outstanding Work

It started as a pilot program in Sandoval County District Court with one paid staff member assisted by a group of interns. Five years later, Family Support Services (FSS) is a joint program of the Administrative Office of the Courts and the Second and Thirteenth Judicial District Courts. It also has full paid staff in Sandoval, Valencia and Bernalillo Counties.

Along with this growth, the program is garnering recognition for outstanding work, with the latest acknowledgement coming in the form of the Outstanding Program Award for 2018 from the State Bar of New Mexico.

The FSS program uses a multi-disciplinary team approach to representing parents in juvenile abuse/neglect proceedings. The team—consisting of an attorney, social worker and peer mentor—works to help the parents make the necessary changes to reunite with their children and maintain a stable, healthy lifestyle going forward.

Since its July 2013 inception, the FSS program has supported 101 cases, involving 47 parents and 205 children. So far, 82 of those cases have been closed, with only four resulting in recidivism, meaning new cases had been opened involving the same parents.

Program director Dominica Sisneros-Montano, a licensed master social worker, said FSS works because “we take the time to engage with clients as humans and do in depth case management.”

That engagement includes social workers accompanying clients to court hearings and visits with their children. FSS social workers also help clients fill out paperwork to get counseling or other services needed to make the lifestyle changes judges want to see before reuniting parents with their children.

“The quality of our work is intense,” Sisneros-Montano said. “We are helping people navigate the legal system and mentoring them so they can become better parents. The result is happier, more stable families, which is good for the entire state.”

The State Bar of New Mexico is not the only organization to notice the FSS program's positive impact. The American Bar Association asked the program to develop a training model that courts in other jurisdictions can use to establish similar programs. In addition, the program's social workers were invited to serve on the Steering Committee of the ABA's National Alliance for Parent Representation, the only national legal organization dedicated to improving legal representation for parents in child welfare cases.

“All of this recognition is a result of our evidence-based practices and performance data,” Sisneros-Montano said. “We are showing fast time to family recovery, lower rates of termination of parental rights, and higher rates of guardianship.”

The program recently submitted a grant application to the U.S. Department of Health and Human Services for funding that would go toward hiring more social workers to take on an existing case backlog, paying attorneys larger stipends and offering them ongoing technical support.

“We also could develop a centralized database for managing child welfare cases on a statewide basis,” Sisneros-Montano added. “The program is growing so much that it needs that type of centralized management.”



Dominica Sisneros-Montano, Caitlin DiFiore and Christi Fields are members of the FSS Program team that was named Outstanding Program of 2018 by the State Bar of New Mexico.

Bernalillo County Metropolitan Court's June Veterans' Resource Day Included All Military Personnel

When word got out that Metro Court's Community Veterans Court (C.V.C.) was opening its June Veterans' Resource Day to servicemen and women across the county, calls from service providers came pouring in. In fact, a record thirty-six agencies showed up for the first-ever Resource Day that was open to veterans outside of the C.V.C. program.



Veterans and active-duty military personnel visited Bernalillo County Metro Court in June to connect with area service providers.

"The outpouring from people who wanted to help veterans in our community was amazing," said C.V.C. Program Judge Sandra Engel. "Sharing the benefits of our Resource Day with fellow service members also created a sense of camaraderie and pride for the veterans in our program who were happy to share all that these agencies have to offer."

The event kicked off with the pledge of allegiance and remarks from Judge Engel, Alan Martinez, deputy secretary of the New Mexico Department of Veterans' Services, and Alan Armijo, the City of Albuquerque's director of constituent services. Veterans were then able to visit with the various agencies, which provided information on everything from VA benefits to equine therapy.

Community Veterans Court works to turn a first-time misdemeanor or offense into a veteran's last stop in the criminal justice system. Through judicial oversight, supervised probation, treatment and

counseling, C.V.C. addresses the root cause of what brought a veteran into the system. The Specialty Court hosts Resource Day twice a year and hopes to open the event to veterans outside of the program again in the future.

2018-2020 Court Executive Officers Council Board Elected

Bernalillo County Metropolitan Court CEO Robert L. Padilla has been elected to a second consecutive term as chair of the Court Executive Officers Council (CEOC).

Steven T. Pacheco, CEO of the First Judicial District Court, has been elected as Vice Chair. The Twelfth Judicial District Court's CEO Katina Watson will represent the council on the Judiciary's Budget Committee.

The CEOC works to find ways in which state courts can operate more efficiently, communicate more effectively and make the best use of resources.

"We are pleased with the work that the council has done in recent years and will continue our work to improve processes and make New Mexico courts the best they can be," said Padilla.

The newly-elected board members will serve two-year terms.

SHARE YOUR NEWS WITH COURT CONNECTIONS

This newsletter was created to share the news and accomplishments of the entire New Mexico Judiciary. We need your help to make that vision a reality. You know all the great things happening in your courts. Send those stories and photos to Sidney Hill at albdsh@nmcourts.gov. The deadline for the next issue is October 12.

Comings and Goings . . .

A New Judge Takes the Bench in the Fifth District

Former Hobbs City Attorney Michael H. Stone is the newest judge in New Mexico's Fifth Judicial District. His investiture ceremony took place at the Lea County Courthouse in Lovington on Friday, July 27, 2018.



Judge Michael H. Stone

District Court Judge Kea W. Riggs, also from the Fifth District, administered the oath of office. Gov. Susana Martinez appointed Judge Stone to replace former Fifth District Judge Gary L. Clingman, who now is a state Supreme Court Justice. Before accepting his appointment to the bench, Judge Stone had served as Hobbs City Attorney for the previous decade. He also had been a partner at several private firms and served as a court-appointed guardian for Lea County for six years. Judge Stone earned his law degree at Texas Tech University.

"I am honored to serve as District Judge in my home of Lea County, New Mexico," Judge Stone said. "I appreciate Governor Martinez for the appointment. My goals are to be respectful to everyone who comes before me, render decisions in a timely manner and to be fair and impartial."

Judge Matthew Sandoval Closes 50 years of Public Service

Fourth Judicial District Court Judge Matthew J. Sandoval has retired after almost 50 years of public service. He joined the district court in 2009, serving as chief judge from 2009 to 2012 and from 2015 to December 2017. His retirement was effective July 20.

Judge Sandoval previously served as district attorney for eight years in the Fourth Judicial District, was city attorney for the city of Las Vegas for 2 ½ years and ran a private law practice for four years.

Judge Sandoval entered law school two days after retiring from a 20-year law enforcement career in which he started as a dispatcher and retired from the Las Vegas, New Mexico police department with the rank of captain.

Judges from across the state, court personnel, legislators, family and friends gathered at a luncheon on Aug. 1 in Las Vegas to honor Judge Sandoval.

In his retirement letter, Judge Sandoval wrote: "My career mantra has been to serve with love, humility and passion for the law, advocate for social justice, and apply intensive well-reasoned thought to produce meaningful lawful changes that serve the general public in a fair manner."

Judge Sandoval and his wife of 46 years, Loretta, have three children and five grandchildren.



4th District Judge Matthew Sandoval said goodbye to court staff Aug. 1, closing out his third public service career.

Upcoming Events

Specialty Courts 1st Annual Dog Show/Resource Day

Thu. Sep. 20, 8:15 am - 1:00 p.m.
Location: Bernalillo County Metro Court. For info: 505-841-9897

San Juan County Free Legal Fair

Fri. Sep. 21, 12:00 pm - 5:00p.m.
Location: Aztec District Court-house, 103 South Oliver, Aztec

Eighth Judicial District Pro Bono Committee Legal Fair

Thu. Oct. 11, 4:00 pm. - 7:00 pm.
Location: Taos Senior Center, 601 Lovato Place, Taos, NM

Thirteenth Judicial District Free Legal Fairs

Sandoval County

Fri. Sep. 21 and Fri. Oct. 19
10:00 am - 2:00 pm
Location: Sandoval County Court-house, 1500 Idalia Rd, Bernalillo

Valencia County

Thu. Sep. 13 and Thu. Oct. 11
10:00 am - 2:00 pm
Location: Valencia County Court-house, 1835 Highway, 314, Los Lunas

Cibola County

Tues. Sep. 18 and Oct. 11
10:00 am - 2:00 pm
Location: Cibola County Court-house, 700 E. Roosevelt, Suite 60, Grants

Second District Court Honors the Legacy of Judge Elizabeth Whitefield

The Second Judicial District Court would like to recognize Judge Elizabeth Whitefield, who passed away on August 11, 2018.

Judge Whitefield retired from the Family Court bench in 2016, but she continued to serve the Court in a volunteer role—doing everything from presiding over hearings to processing paperwork—until just before her death.

Judge Whitefield displayed that level of commitment to service throughout a long and distinguished legal career that began with her graduation from the UNM School of Law in 1977.

While making her own mark in the legal profession, Judge Whitefield also helped open many doors for other women lawyers. She specialized in family law for nearly thirty years, first with the late Willard F. ("Bill") Kitts and then with the law firm of Keleher & McLeod, where she became the first female shareholder and first female member of the Executive Committee. She also was one of three co-founders of the New Mexico Women's Bar Association.



Judge Whitefield's legal work and community service earned her many awards, including:

- The UNM School of Law Distinguished Achievement Award in 2015
- The Albuquerque Chamber of Commerce Spirit of Service Award in 2016
- The Albuquerque Bar Association Outstanding Judge of the Year Award in 2016
- The Justice Pamela B. Minzer Professionalism Award from the State Bar of New Mexico in 2017.

Gov. Bill Richardson appointed Judge Whitefield to the District Court bench in 2007. Her family law background served her well on the Family Court bench as she looked for ways to improve the court's operations. Judge Whitefield was instrumental in establishing Peter H. Johnstone Day, an annual event at which couples without legal representation can resolve their cases through free mediation sessions with volunteer attorneys. The Court launched Peter H. Johnstone Day in 2012, and just this year alone more than 50 couples resolved their cases at that event.

Judge Whitefield will always be remembered as a mentor and friend. Current Family Court Judge Deborah Davis Walker said Judge Whitefield's legacy is that she "was always looking for a better way to help people get through the system without putting their kids in the middle. She was a proponent of mediation and facilitation and just resolving cases in a more reasonable way."

Chief Judge Nan Nash said of Judge Whitefield: "She loved the law, she loved being a judge and she loved the District Court."

"To have been loved by her and be called her friend is humbling," said Debra Ramirez, presiding judge of the Second District's Family Court. "She made everyone she was with feel like the most important person in the room. She was patient and kind, and had a sense of humor that could make even the most difficult of days end with laughter. All of us will continue to strive to meet her expectation that we serve the public and the law with joy in being able to do so."